

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

NAHRO TAHSEEN JAF)
)
)
v.) NO. 1:07-0098
) Judge Echols
UNITED STATES OF AMERICA)

ORDER

Pending before the Court is the (1) Report and Recommendation of the Magistrate Judge (Docket Entry No. 13) recommending that the Court grant the Government's Motion to Dismiss (Docket Entry No. 8), and (2) Plaintiff's Motion to Dismiss (Docket Entry No. 12).

The Plaintiff filed a Civil Complaint against the United States under 8 C.F.R. § 335.3. The Plaintiff asserts in his Complaint that (1) he applied for naturalization; (2) it has been over 360 days since initial examination; and (3) the United States Citizen & Immigration Services has not made a determination on his pending application within the 120 days provided under § 335. He requests the status of his application and whether it will be approved.

In its Motion to Dismiss, the Government advised the Court that Plaintiff's Application for Naturalization was approved on March 10, 2008, with the naturalization ceremony set for March 28, 2008, and moved the Court to dismiss Plaintiff's Complaint as moot.

The Magistrate Judge set a show cause hearing. In response, Plaintiff filed a Motion to Dismiss.

Because the approval of Plaintiff's Application for Naturalization renders this lawsuit moot, the Report and Recommendation (Docket Entry No. 13) is hereby ACCEPTED and APPROVED. Therefore Government's Motion to Dismiss (Docket Entry No. 8) and Plaintiff's Motion to Dismiss (Docket Entry No. 12) are hereby GRANTED and this case is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of final Judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

IT IS SO ORDERED.



Robert L. Echols
ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE